

## Agenda for IDWR Meeting June 29<sup>th</sup> and 30<sup>th</sup>, 2006

<b>Thursday, June 29th</b>	<b>TOPIC</b>	<b>SPEAKER</b>	<b>RATIONALE</b>
9:00 AM	<b>Welcome</b> Explain IDWR goals and importance of negotiations. Articulate the Director's expectations for committee and set the boundaries for the committee, i.e., what he expects the committee to do and what not to do.	IDWR	This is an important step—kick off the negotiations and establish the ground rules for the committee. Committee needs to know that what they can fix and what subjects or topics they can not touch. We do not want to get to the end and deliver a product that is unacceptable to the Department.
9:15	<b>Introduction to Rule-Making</b> The legal basis for rules, how negotiated rule-making works, the process and time line to get rules adopted by Legislature.	IDWR Rule Coordinator	This will give a sense of <i>gravitas</i> to the process, so members understand that they are part of the democratic process as implemented through laws of Idaho.
9:20	<b>The Rule-Negotiating Committee</b> <ul style="list-style-type: none"> <li>○ Explain the role of the chairman of the committee</li> <li>○ Introduce the Web-based rule making record</li> <li>○ Introduce consultants, explain consultants roles</li> </ul>	J. Carlson	Establish role of IDWR and its relationship to the committee and to the consultants. <ul style="list-style-type: none"> <li>• As the chair, IDWR holds the final word on what recommendations are carried forward.</li> <li>• The consultants provide technical input, process support and develop work-products at the direction of the Chair</li> <li>• The committee members participate as advisors to IDWR to ensure proposed rules reflect the views of stakeholders.</li> </ul>
9:30	Scope of Well Construction Standards Rules	J. Carlson	Outline the scope of 37.03.09—what is included in the Rules and what is excluded from these rules. IDWR might take this opportunity to provide rules that clarify what authority cities have under their police and zoning power vis-à-vis wells and well-drilling.
9:55	Break		

10:00	<i>Rocky Mountain Environmental</i> History of Phase 1 Report, issues identified	J. Rush	Provide background on Phase 1 and set stage for Phase 2. <ul style="list-style-type: none"> <li>• Explain that Phase 1 data gathering was done in separate consultations with different stakeholder groups . Phase 2 has them all at the same table.</li> <li>• Overview of top issues that will be discussed later in the agenda.</li> <li>• Phase 2 will be done in two stepwise iterations and will be conducted via University Teleconference System.</li> </ul>
	<i>Communications and Negotiations</i> <ul style="list-style-type: none"> <li>○ Introduce roll of facilitator, meeting rules, processes</li> <li>○ Introduce video conferencing</li> <li>○ Introduce website/forum for online notices, research and participation.</li> <li>○ Introduce individual committee members</li> <li>○ Outline the process for negotiations</li> </ul>	M. Hart	<ul style="list-style-type: none"> <li>• Describe advantages (and challenges) of video conferencing.</li> <li>• Big-picture overview of committee schedule and end goal (proposed Rules by end of December)</li> <li>• Require participants to articulate their perspective. Why each is present, what stakeholder they represent, and what issues are important to them.</li> </ul>
11:15	<b><i>Water Well Basics</i></b> 30-minute video produced by the Ground Water Trust explaining how single family well systems are installed.	Video	Describes how wells are drilled to ensure all participants are knowledgeable of well drilling basics.
Lunch Break			

	<b>TOPIC</b>	<b>SPEAKER</b>	<b>RATIONALE</b>
1:00 PM	<b>Issue #1: Well Seals:</b> This may be the most contentious issue for revision of the Standards Rule.	J. Rush	Examples of Well Seal issues from Phase 1
1:15 PM	As and U contamination from SW Idaho	IWRRI	This topic is new, and the stratigraphic control of As and U means that wells must have formation seals to prevent movement of water between aquifers.
1:30 PM	Illustrate current well sealing procedures and practices	IGWA	Illustrate current well sealing procedures and practices.
1:45 PM	Committee Discussion of Seals	M. Hart	Committee discussion on possible changes in IDAPA 37.03.09 to resolve improve sealing of wells.
3:30 PM	<b>Issue #2 Plugging Unused Wells</b> The Phase 1 identified <b>orphan wells</b> as a critical issue. They are conduits for direct contamination of the aquifer.	J. Rush	The Phase 1 identified <b>orphan wells</b> as a critical issue. They are IDAPA 37.03.09 specifies how to abandon wells, but does not require that unused, unneeded wells be abandoned.
		IDEQ	Examples of any contamination or loss of resource
4:00 PM	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to resolve seal and abandon orphan wells.

<b>Friday, June 30<sup>th</sup></b>	<b>TOPIC</b>	<b>SPEAKER</b>	<b>RATIONALE</b>
9:00 AM	<b>Issue #3: Responsibility for Maintenance and Repair of Wells</b> In 2003, Well Drillers felt that they were unfairly blamed for careless pitless installation and for lack of maintenance of wells after construction.	J. Rush	Outline Issues raised in Phase 1
9:10 AM	Examples of Poor Well Maintenance	IDWR	Describe extent of poor well maintenance and difficulty in enforcement.
9:10 AM	Achievements after 2003	IGWA	Outline steps to coordinate with Pitless installers
	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to enforce maintenance and repair of wells.
10:00 AM	<b>Issue #4: Well Siting and Septic Tanks</b>	J. Rush	Outline Issues raised in Phase 1
	Recent Well Siting Problems and Solutions	District Health Department	Provide examples of well siting problems, problems caused by rule inadequacy or miscommunication.
10:30	Break		
	Well Siting from the Perspective of Well Contractor	IGWA	Outline steps to coordinate with Pitless installers
	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to reduce siting conflicts and to enforce setback requirements.
11:00 AM	<b>Issue #5 Disinfection</b>	J Rush	Illustrate Well Disinfection examples from Phase 1
	Disinfection from the Perspective of IDEQ	IDEQ/DHD	Discuss Agency's perspective on coliform bacteria. Are more water systems contaminated?
	Disinfection from the Perspective of Well Contractor	IGWA	Discuss disinfection practices and approaches used by Drillers in Idaho.
	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to require disinfection of wells.
LUNCH 12:00			
1:00 PM	<b>Issue #6 Enforcement</b>	J. Rush	Summarize Enforcement Issues raised in Phase 1
		IDWR	Describe current enforcement issues and where rules could be clarified and strengthened to improve enforcement
		IGWA	Describe enforcement concerns from the Regulated Community perspective.
	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to improve enforcement.

	<b>TOPIC</b>	<b>SPEAKER</b>	<b>RATIONALE</b>
2:00 PM	<b>Issue #7 Monitor Wells</b> In Phase 1, some stakeholders proposed that there should be separate Construction Standards for Monitor Wells	J. Rush	Summarize Monitor Well Issues from Phase 1. Briefly outline how Oregon and Washington State address monitor wells
		IDWR	Department's perspective on monitor well drilling and construction standards as implemented in offices across Idaho.
		IDEQ	Describe IDEQ's perspective on monitor wells and monitor well networks.
		IGWA	Discuss IGWA's perspective on monitor well standards.
	<i>Committee Discussion</i>	M. Hart	Committee discussions on changing IDAPA 37.03.09 for monitor wells.
3:00 PM	<b>Issue #8 Miscellaneous Issues</b> Summarize Phase 1 related to <ul style="list-style-type: none"> <li>○ Well and casing diameters</li> <li>○ PVC casing in domestic wells</li> <li>○ Requirement to use NSF/API/ASTM approved components</li> <li>○ Requirement to Complete each well</li> <li>○ <i>Requirement to Pump test each well.</i></li> </ul>	J. Rush	The Phase 1 Report identified many technical issues that revisions to IDAPA 37.03.09 should address.
	<i>Committee Discussion</i>	M. Hart	Committee discussions on possible changes in IDAPA 37.03.09 to adopt or resolve these issues.
3:30 PM	<b>Committee Discussion: Direction for Revisions to IDAPA 37.03.09</b> Given the perspectives of stakeholders across Idaho, what are critical areas to revise in IDAPA 37.03.09?	J. Carlson J. Rush M. Hart	In Phase 1, stakeholders identified several different ways to revise the Standards Rules to protect water resources and make enforcement more effective. Should wells and well standards rules be re- organized— <ul style="list-style-type: none"> <li>❑ Confined versus unconfined aquifers?</li> <li>❑ By well type: domestic, irrigation, monitor wells, Public water systems?</li> <li>❑ By rock type—sand and gravel, basalt, or granites?</li> <li>❑ By geographic area: N. Idaho, SW Idaho, Central Idaho?</li> </ul> Homework: Committee members should give these options consideration in light of the issues discussed at this first meeting and come to the next meeting with suggestions for 1) Organizational recommendations for improving the rules and 2) Substantive suggestions to improve rules.
4:00	Adjourn		